

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **People of Michigan v Timothy Ivan Muhn**

Docket No. **284173**

L.C. No. **06-003806-FH**

Donald S. Owens, Judge, acting under MCR 7.211(E)(2), orders:

On the Court's own motion, this Court's order dated January 16, 2009, is VACATED, review of the file in this case disclosing that the Supreme Court's remand order dated September 9, 2008, has not yet been fully satisfied. The Supreme Court order directed that the circuit court prepare "a certified concise statement of proceedings arising from the March 6, 2007 sentencing hearing and all postjudgment proceedings." Although the transcript of the March 6, 2007 sentencing hearing has since been filed, no transcript or certified concise statement of "all postjudgment proceedings" has been produced.

This cause is REMANDED to the trial court to prepare a certified concise statement of all postjudgment proceedings in this case. Once the circuit court has prepared a proposed concise statement of all postjudgment proceedings, it shall serve copies on all parties along with a notice of hearing with the date, time, and place for settlement of the concise statement. Thereafter, the circuit court shall proceed in accordance with MCR 7.205(G)(2), (3), and (4) within 7 days after the settlement hearing. Appointed counsel for appellant may file a supplement to the February 4, 2009, supplemental application for leave to appeal within 21 days after service of the certified concise statement on him.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 25 2009

Date

*Sandra Schultz Mengel*  
Chief Clerk